

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

LUIS MAURICIO CRUZ-RAMIREZ,)
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Petitioner,)
)
)
v.) Civil Action No. 3:11CV254-HEH
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UNKNOWN,)
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)
)
Respondent.)

MEMORANDUM OPINION
(Dismissing Action Without Prejudice)

By Memorandum Order entered on April 26, 2011, the Court conditionally docketed Petitioner's action. At that time, the Court directed Petitioner to return his *in forma pauperis* affidavit, and affirm his intention to pay the full filing fee by signing and returning a consent to the collection of fees form. The Court warned Petitioner that a failure to comply with either of the above directives within thirty (30) days of the date of entry thereof would result in summary dismissal of the action.

Petitioner has not complied with the order of this Court. Petitioner failed to return the *in forma pauperis* affidavit and the consent to collection of fees form. As a result, he does not qualify for *in forma pauperis* status. Furthermore, he has not paid the statutory filing fee for the instant complaint. *See* 28 U.S.C. § 1914(a). Such actions demonstrate a wilful failure to prosecute. *See* Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

An appropriate Order will accompany the Memorandum Opinion.

It is so ORDERED.

 /s/
HENRY E. HUDSON
UNITED STATES DISTRICT JUDGE

Date: June 20, 2011
Richmond, Virginia